



# COMMONWEALTH of VIRGINIA

## CHESAPEAKE BAY LOCAL ASSISTANCE DEPARTMENT

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January 23, 2002

John Carlock  
Hampton Roads Planning District Commission  
723 Woodlake Drive  
Chesapeake, Virginia 23320

Dear Mr. Carlock:

During the January 10, 2002 meeting of the Hampton Roads Planning District Commission Chesapeake Bay Committee, staff was asked to develop guidance on Intensely Developed Areas (IDAs) as overlays to Chesapeake Bay Preservation Areas (CBPAs). Several localities in the Hampton Roads area have designated IDAs, and several more are considering doing so. The following information is designed to provide guidance on the criteria for local land use conditions that must meet in order to qualify for the IDA designation.

Section 9 VAC 10-20- 100 of the Chesapeake Bay Preservation Area Designation and Management Regulations (the Regulations) identifies IDAs as a type of CBPA in which little of the natural environment exists. Intensely Developed Areas are delineated by the local governing body and these delineations are reviewed by the appropriate Local Area Review Committee and the Chesapeake Bay Local Assistance Board as major program modifications to the local Phase I (Mapping and Ordinance) program. In order to qualify for the IDA designation, one of the following criteria must also be met:

1. Development has severely altered the natural state of the area such that it has more than 50% impervious cover.
2. Public water and sewer systems or a constructed stormwater drainage system, or both, have been constructed and served that area by the original local program adoption date. This condition does not include areas planned for public sewer and water or constructed stormwater drainage systems.
3. Housing density is equal to or greater than four (4) dwelling units per acre.

During the meeting, there were several questions concerning the meaning of the term "little of the natural environment exists." Specifically, committee members were interested in whether there was a quantifiable measure associated with the term. Committee members should be aware that here is no hard and fast rule or measure associated with the term "little of the natural environment exists." The determination is made on a case-by-case basis, based on the conditions in the area to be designated at the time of local program adoption. Factors that may be considered include the amount of impervious cover, tree canopy, and the presence of hardening along the shoreline.

In addition to the criterion that little of the natural environmental exist, the area to be designated must also meet one of the three other criteria. The local government must provide proof that the area meets the condition and can do so using a variety of means. Aerial photography, utility maps, and other sources can all be used to show that the area under consideration meets the requirements of the Regulations. Equally important is a description of what steps the local government will take in insuring that the redevelopment activity that takes place will meet the 10% pollutant removal required for all redevelopment projects. Redevelopment plans, if already in place, should be submitted along with the other materials used to support the IDA designation.

I hope that this information is helpful. If you, or members of the committee have any questions, please contact me. My telephone number is 804-371-7500 or 1-800-CHES BAY.

Sincerely,



Lee J. Dyson, AICP  
Principal Planner

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